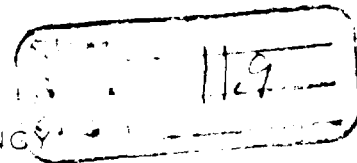




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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET
ATLANTA GEORGIA 30365CERTIFIED MAIL
RETURN RECEIPT REQUESTED

OCT 25 1983

REF:4AW-ER

A.B.Bullington Jr.
ABCO Industries
Railroad Street
P.O. Box 335
Roebuck, S.C. 29376

Re: Medley Site, Gaffney, South Carolina

Gentlemen:

The United States Environmental Protection Agency (EPA) from June 1983 until July 1983 spent approximately \$600,000 in federal funds removing hazardous substances and chemical wastes from the above-mentioned, abandoned site. Based on observations by the Federal On Scene Coordinator during the cleanup of this site, EPA has information that indicates that your company may be a responsible party in that drums bearing your company's labels and markings were discovered on the Medley Site. Responsible parties under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. Section 9601 et seq. (CERCLA) include the current and past owner or operator, and persons who are involved in the disposal or treatment or who arranged for the transportation of hazardous substances for the purpose of treatment or disposal of them at the site. Under CERCLA, and other laws, responsible parties may be liable for money expended by the government to take necessary corrective action at the site, including investigation, planning, cleanup of the site and enforcement. EPA responded to and cleaned up hazardous substances at the Medley Site and is seeking to recover its response and cleanup costs from potentially - responsible parties.

The purpose of this letter is to notify you of your possible liability as a potentially - responsible party and to secure certain information from you. Under the provisions of Section 104 of CERCLA, 42 U.S.C. 9604, and Section 3007 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6927 as amended by the Solid Waste Disposal Act Amendments of 1980, the Administrator of EPA has the authority to require any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes or substances to furnish information related to such wastes to EPA. Please be advised that Section 103(d)(2) of CERCLA, 42 U.S.C. §9603(d)(2), imposes criminal sanctions for any person who destroys, mutilates, erases, disposes of, conceals, or otherwise renders unavailable or falsifies any such records.

- 2 -

Pursuant to the above cited statutory provisions, you are hereby requested to answer the following questions and forward pertinent documents within three (3) weeks from the date of your receipt of this letter.

- 1) Did your company have any transactions regarding chemical wastes with either Mr. or Mrs. Ralph Medley or Mr. Clyde Medley?
- 2) Did your company, by written or oral agreement or contract, arrange for the disposal, treatment or storage, or arrange with a transportation or trucking company for transport for disposal, treatment or storage of chemical wastes and hazardous substances to the Medley Site?
- 3) If your answer to Question #2 is "yes" identify the company or individuals or corporations by name and give the month and year such agreement or contract was entered into.
- 4) With reference to your answer to Question #3 above, indicate whether such contract or agreement was completed or carried out.
- 5) Specify the current location of any documents making reference to or containing the terms of any such written or oral contract or agreement revealed in your response to Question #3.
- 6) Identify by name, address, and phone number the current custodian of any documents referred to in Question #5.
- 7) Identify by name, address, and phone number the employee or officer of your company who entered into the oral agreements or written agreements or contracts mentioned in your response to Question #3
- 8) Did your company ever receive confirmation by way of letter, receipt, manifest, or other document from one or more of the individuals or corporations that your wastes were actually disposed of at the Medley Site?
- 9) If your answer to Question #8 is "yes, identify that company or individual and indicate the month and year such confirmation was given.
- 10) Specify the generic name and chemical nature of any chemical wastes and hazardous substances pertaining to the agreement or contracts identified in your response to Question #3.
- 11) State the total volume - in terms of number of 55 gallon drums, gallons or liquid, or in cubic meters for solid wastes, which your company had sent to the Medley Site.

- 3 -

Under Section 3008 of RCRA, 42 U.S.C. §6928, failure to comply with this request may result in an order assessing civil penalties and requiring compliance. Failure to comply with this request under Section 104 of CERCLA may result in a civil enforcement action brought against you by EPA.

For any portion of the information revealed above which is entitled to confidential treatment by EPA, please assert a business confidentiality claim in accordance with 40 C.F.R. §2.203(b). If EPA determines that the information claimed confidential meets the criteria in 40 C.F.R. §2.200, then such information will be disclosed by EPA only to the extent and by the procedures specified in 40 C.F.R. Part 2, Subpart B. EPA will construe your failure to furnish a confidentiality claim with response to this letter as a waiver of a confidentiality claim, and the information may be made available to the public by EPA without further notice to you.

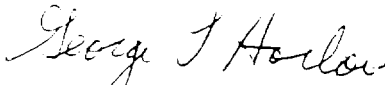
Because of the seriousness of this matter and attendant legal ramifications, EPA urges you to forward your written response within the three (3) week time span. Your response should be sent to:

James F. Bycott
Attorney
Office of Regional Counsel
Environmental Protection Agency
345 Courtland Street, N.E.
Atlanta, Georgia 30365
(404) 881-2641

Please direct any technical questions that you may have to Ron W. Joyner at 404/881-2234.

Thank you for your prompt attention to this matter.

Sincerely,



Thomas W. Devine
Director
Air and Waste Management Division

cc: Regional Counsel
Region IV, EPA

Director
Office of Legal and Enforcement Counsel

Director
Office of Waste Programs Enforcement

Director
Office of Emergency and Remedial Response